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Attorney for Defendants City of Surprise, Skip Hall and Steven Shernicoff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Rebekah Massie,

Plaintiff,

v.

City of Surprise, a municipal corporation
and a governmental entity; Skip Hall, in his
individual capacity; and Steven Shernicoff,
in his individual capacity,

Defendants.

Case No: 2:24-cv-02276-ROS--DMF

**STIPULATED MOTION TO
MODIFY AND EXTEND
DEADLINES
(Fourth Request)**

Plaintiff Rebekah Massie and Defendants City of Surprise, a municipal corporation
and a government entity, Skip Hall, in his individual capacity, and Steven Shernicoff, in

1 his individual capacity, by and through undersigned counsel, hereby file this stipulated
2 motion for a modification of Defendants' time to answer or respond otherwise to Plaintiffs'
3 First Amended Complaint.

4 On January 17, 2025, Plaintiff filed her First Amended Complaint. Defendants'
5 deadline to answer or otherwise respond to the First Amended Complaint was extended
6 from February 7, 2025, to April 8, 2025, to continue discussions regarding potential
7 dispositive issues and consider the possibility of case resolution. Those discussions resulted
8 in a settlement conferenced scheduled to occur in Tucson on April 8, 2025. [Dkt. 27.]

9 If this matter is not resolved at the settlement conference, Plaintiff Massie will file
10 a Second Amended Complaint to add allegations stating when Defendants Shernicoff and
11 Hall were served with notices of claims under Ariz. Rev. Stat. § 12-821.01. Defendants
12 consent to the filing of a Second Amended Complaint without waiving any defenses that
13 may be brought by answer or motion.

14 To conserve judicial resources, allow the parties to focus on the upcoming
15 settlement conference, and avoid the need for Defendants to respond to a complaint that
16 will soon be superseded, the parties have conferred and request the Court set the following
17 deadlines:

- 18 a. Plaintiffs' deadline to file a Second Amended Complaint: **April 22, 2025;**
- 19 b. Defendants' deadline to answer or otherwise respond to the Second Amended
20 Complaint: **May 27, 2025.**

1 This is the fourth request for a modification of Defendants' deadline under Federal
2 Rule of Civil Procedure 12. This Motion is made for good cause, in good faith, and not for
3 the purpose of undue delay. A proposed form of Order is filed alongside this stipulation.
4

5 Dated: March 31, 2025

Respectfully submitted,

6 /s/ Adam B. Steinbaugh

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Hall and Steven Shernicoff*

[†] Signed by Adam Steinbaugh with permission.

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing document has been served upon the counsel for the parties in interest by operation of the Court's electronic case filing system.

/s/ Adam B. Steinbaugh
Adam B. Steinbaugh